

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

TELLUS OPERATING GROUP, LLC

PLAINTIFF

vs.

Civil Action No. 3:06-cv-219 HTW-LRA

BJ SERVICES COMPANY

DEFENDANT

ORDER OF DISMISSAL

All parties having agreed to and announced to the court a settlement of this case, and the court being desirous that this matter be finally closed on its docket,

IT IS ORDERED that this case is hereby dismissed without prejudice as to all parties.

If any party fails to consummate this settlement within **TWENTY (20) DAYS**, any aggrieved party may reopen the case for enforcement of the settlement agreement and, if successful, all additional attorney fees and costs from the date of this order shall be awarded such aggrieved party or parties against the party failing to consummate the agreement.

SO ORDERED, this the 26th day of September, 2007.

**s/ HENRY T. WINGATE
CHIEF UNITED STATES DISTRICT JUDGE**